Docket No. 58-0116-0501
The underlined text is new rule language.
The clean text is either:
1) Standard rule sections found in other DEQ rules (required by IDAPA 44.01.01, Rules of the Administrative Rules Coordinator); or
2) Rule text transferred from 58.01.02, Water Quality Standards and Wastewater Treatment Requirements (WQS). The corresponding WQS rule section is provided in a shaded box for each of these sections.

IDAPA 58
TITLE 01
CHAPTER 16

58.01.16 – WASTEWATER RULES

000. LEGAL AUTHORITY.
Under Chapters 1 and 36, Title 39, Idaho Code, the Idaho Legislature has granted the Board of Environmental Quality the authority to promulgate these rules. ( )

001. TITLE AND SCOPE.

01. Title. These rules shall be cited as IDAPA 58.01.16, "Wastewater Rules." ( )

02. Scope. These rules establish the procedures and requirements for the planning, design and operation of wastewater facilities and the discharge of wastewaters and human activities which may adversely affect public health and water quality in the waters of the state. ( )

002. WRITTEN INTERPRETATIONS.
As described in Section 67-5201(19)(b)(iv), Idaho Code, the Department of Environmental Quality may have written statements which pertain to the interpretation of these rules. If available, such written statements can be inspected and copied at cost at the Department of Environmental Quality, 1410 N. Hilton, Boise, Idaho 83706-1255.( )

003. ADMINISTRATIVE PROVISIONS.
Persons may be entitled to appeal agency actions authorized under these rules pursuant to IDAPA 58.01.23, "Rules of Administrative Procedure Before the Board of Environmental Quality." ( )

004. INCORPORATION BY REFERENCE.
These rules do not contain documents incorporated by reference. ( )

005. OFFICE HOURS -- MAILING ADDRESS AND STREET ADDRESS. The state office of the Department of Environmental Quality and the office of the Board of Environmental Quality are located at 1410 N. Hilton, Boise, Idaho 83706-1255, telephone number (208) 373-0502. The office hours are 8:00 a.m. to 5:00 p.m. Monday through Friday. ( )

006. CONFIDENTIALITY OF RECORDS. Information obtained by the Department under these rules is subject to public disclosure pursuant to the provisions of Title 9, Chapter 3, Idaho Code, and IDAPA 58.01.21, "Rules Governing the Protection and Disclosure of Records in the Possession of the Idaho Department of Environmental Quality". ( )

007. REFERENCED MATERIAL.

a. "Idaho Guidance for Wastewater Facilities." This document, and subsequent revisions of this document, provides assistance in applying and interpreting these rules. Copies of the document are available at the Idaho Department of Environmental Quality, 1410 N. Hilton, Boise, ID 83706-1255, www.deq.idaho.gov.( )

b. "Recommended Standards for Wastewater Facilities," 2004 Edition, by the Great Lakes-Upper Mississippi River Board of State Sanitary Engineers (except Chapters 10, 20, and 30). This document, and subsequent revisions of this document, provides assistance in applying and interpreting these rules. This document is available through Health Education Services at http://www.hes.org. ( )

c. The Memorandum of Understanding between the Idaho Department of Environmental Quality and the Idaho Division of Building Safey Plumbing Bureau signed and dated April 4, 2003 provides assistance in determining juridiction over water and sewer service lines. Copies of the document are available at the Idaho Department of Environmental Quality, 1410 N. Hilton, Boise, ID 83706-1255, www.deq.idaho.gov. ( )

d. "Idaho Standards for Public Works Construction", 2005 Edition. This document, and subsequent revisions of this document, provides assistance in applying and interpreting these rules. This document is available for a fee through the Local Highway Technical Assistance Council (LHTAC) at LHTAC, 3330 Grace Street, Boise, ID, 83703, (208) 344-0565. ( )

008. USE OF GUIDANCE IN DESIGN AND REVIEW.

Guidance documents referenced in these rules are to be used to assist both designers and reviewers in determining a reasonable way to achieve compliance with the rules. Nothing in these rules makes the use of a particular guidance or guidance document mandatory. If the plans and specifications comply with applicable facility standards and design standards as set out in these rules, Section 39-118, Idaho Code, requires that the reviewing authority not substitute his or her judgment for that of the design engineer concerning the manner of compliance. If the design engineer needs assistance as to how to comply with a particular rule, the design engineer may use the referenced guidance documents for that assistance. However, the design engineer may also use other guidance or provide documentation to substantiate his or her own professional judgment. ( )

009. (RESERVED).

010. DEFINITIONS. ***(WQS ə 300)***

For the purpose of the rules contained in IDAPA 58.01.16, "Wastewater Rules," the following definitions apply: ( )

01. Available. Based on public wastewater system size, complexity, and variation in raw waste, a licensed wastewater operator must be on site, on call, or able to be contacted as needed to initiate the appropriate action for normal or emergency conditions in a timely manner. ( )

02. Beneficial Use. Any of the various uses which may be made of the water of Idaho, including, but not limited to, domestic water supplies, industrial water supplies, agricultural water supplies, navigation, recreation in and on the water, wildlife habitat, and aesthetics. The beneficial use is dependent upon actual use, the ability of the water to support a non-existing use either now or in the future, and its likelihood of being used in a given manner. The use of water for the purpose of wastewater dilution or as a receiving water for a waste treatment facility effluent is not a beneficial use. ( )

03. Board. The Idaho Board of Environmental Quality. ( )

04. Class A Effluent. Class A effluent is treated municipal reclaimed wastewater that must be oxidized, coagulated, clarified, and filtered, or treated by an equivalent process and adequately disinfected. For comprehensive Class A Effluent criteria and permitting requirements refer to IDAPA 58.01.17, "Wastewater Land Application Permit Rules". ( )

05. Class A Effluent Distribution System. The delivery system for Class A effluent. The distribution system does not include any of the collection or treatment portions of the wastewater facility and is not subject to operator licensing requirements in Section 203 of these rules. ( )

06. Collection System. That portion of the wastewater system in which wastewater is received from the premises of the discharger and conveyed to the point of treatment through a series of lines, pipes, manholes, pumps/lift stations and other appurtenances. ( )

07. Compliance Schedule Or Schedule Of Compliance. A schedule of remedial measures including an enforceable sequence of actions or operations leading to compliance with an effluent limitation, other limitation, prohibition, or standard. ( )

08. Department. The Idaho Department of Environmental Quality. ( )

09. Design Flow. The critical flow used for steady-state wasteload allocation modeling.( )

10. Designated Beneficial Use Or Designated Use. Those beneficial uses assigned to identify waters in Idaho Department of Environmental Quality Rules, IDAPA 58.01.02, "Water Quality Standards," Sections 110 through 160, whether or not the uses are being attained. ( )

11. Director. The Director of the Idaho Department of Environmental Quality or his authorized agent. ( )

12. Discharge. When used without qualification, any spilling, leaking, emitting, escaping, leaching, or disposing of a pollutant into the waters of the state. ( )

13. Disinfection. A method of reducing the pathogenic or objectionable organisms by means of chemicals or other acceptable means. ( )

14. Effluent. Any wastewater discharged from a treatment facility. ( )

15. EPA. The United States Environmental Protection Agency. ( )

16. Facility Standards and Design Standards. Facility standards and design standards are described in Sections 400, 410, 420 and 430 of these rules. Facility and design standards found in Sections 410, 420, and 430 of these rules must be followed in the planning, design, construction, and review of wastewater facilities. ( )

17. Geometric Mean. The geometric mean of "n" quantities is the "nth" root of the product of the quantities. ( )

18. Ground Water. ~~Subsurface water comprising the zone of saturation.~~ Any water of the state which occurs beneath the surface of the earth in a saturated geological formation of rock or soil. ( )

19. Land Application. A process or activity involving application of wastewater, surface water, or semi-liquid material to the land surface for the purpose of disposal, pollutant removal, or ground water recharge. ( )

20. License. A physical document issued by the Idaho Bureau of Occupational Licenses certifying that an individual has met the appropriate qualifications and has been granted the authority to practice in Idaho under the provisions of Chapter 24, Title 54, Idaho Code. ( )

21. Material Deviation. A change from the design plans that significantly alters the type or location of facilities, requires engineering judgment to design, or impacts the public safety or welfare. ( )

22. Material Modification. Material modifications are those that are intended to increase system capacity or to alter the methods or processes employed. ( )

23. Mixing Zone. A defined area or volume of the receiving water surrounding or adjacent to a wastewater discharge where the receiving water, as a result of the discharge, may not meet all applicable water quality criteria or standards. It is considered a place where wastewater mixes with receiving water and not as a place where effluents are treated. ( )

24. National Pollutant Discharge Elimination System (NPDES). Point source permitting program established pursuant to Section 402 of the federal Clean Water Act. ( )

25. Natural Background Conditions. No measurable change in the physical, chemical, biological, or radiological conditions existing in a water body without human sources of pollution within the watershed.(3-15-02)

26. Nephelometric Turbidity Units (NTU). A measure of turbidity based on a comparison of the intensity of the light scattered by the sample under defined conditions with the intensity of the light scattered by a standard reference suspension under the same conditions. ( )

27. Nuisance. Anything which is injurious to the public health or an obstruction to the free use, in the customary manner, of any waters of the state. ( )

28. Nutrients. The major substances necessary for the growth and reproduction of aquatic plant life, consisting of nitrogen, phosphorus, and carbon compounds. ( )

29. Non-potable Mains. The pipelines that collect and convey non-potable discharges from or to multiple service connections. ( )

30. Non-potable Services. The pipelines that convey non-potable discharges from individual facilities to a connection with the non-potable main. This term also refers to pipelines that convey non-potable water from a pressurized irrigation system, reclaimed wastewater system, and other non-potable systems to individual consumers. ( )

31. Operating Personnel. Any person who is employed, retained, or appointed to make system control or system integrity decisions about water quantity or water quality that may affect public health as part of the tasks conducted with the day-to-day operation and maintenance of a public wastewater system. ( )

32. Owner ~~of Public Wastewater System~~. For purposes of Sections 202 through 204, the person, company, corporation, district, association or other organizational entity ~~which holds legal title to~~ that owns the public wastewater system, and who provides, or intends to provide wastewater service to system users and is ultimately responsible for the public wastewater system operation. ( )

33. Person. An individual, public or private corporation, partnership, association, firm, joint stock company, joint venture, trust, estate, state, municipality, commission, political subdivision of the state, state or federal agency, department or instrumentality, special district, interstate body or any legal entity, which is recognized by law as the subject of rights and duties. ( )

34. Point Source. Any discernible, confined, and discrete conveyance, including, but not limited to any pipe, ditch, channel, tunnel, conduit, well, discrete fissure, container, rolling stock, concentrated animal feeding operation, or vessel or other floating craft, from which pollutants are, or may be, discharged to surface waters of the state. This term does not include return flows from irrigated agriculture, discharges from dams and hydroelectric generating facilities or any source or activity considered a nonpoint source by definition. ( )

35. Pollutant. Dredged spoil, solid waste, incinerator residue, sewage, garbage, sewage sludge, munitions, chemical waste, biological materials, radioactive materials, heat, wrecked or discarded equipment, rock, sand, silt, cellar dirt; and industrial, municipal and agricultural waste, gases entrained in water; or other materials which, when discharged to water in excessive quantities, cause or contribute to water pollution. Provided however, biological materials shall not include live or occasional dead fish that may accidentally escape into the waters of the state from aquaculture facilities. ( )

36. Potable Water. A water which is free from impurities in such amounts that it is safe for human consumption without treatment. ( )

37. Potable Water Mains. Pipelines that deliver potable water to multiple service connections. ( )

38. Potable Water Service. Pipelines that convey potable water from a connection to the potable water main across private property to individual consumers. ( )

39. Primary Treatment. Processes or methods that serve as the first stage treatment of wastewater, intended for removal of suspended and settleable solids by gravity sedimentation; provides no changes in dissolved and colloidal matter in the sewage or wastes flow. ( )

40. Public Wastewater System or Wastewater System. For purposes of Sections 202 through 204, a public wastewater system or wastewater system ~~means those systems, including~~ is any publicly or privately owned collection system~~s and~~ or treatment system~~s, that are owned by a city, county, state or federal unit of government, a non profit corporation, district, association, political subdivision or other public entity, or~~ that generate~~s,~~ ~~or~~ collect~~s, or treats~~ two thousand five hundred (2,500) or more gallons ~~a~~of wastewater per day~~; or that have been constructed in whole or in part with public funds~~. This does not include any wastewater treatment system operated and maintained exclusively by a single family residence or any wastewater system consisting solely of a gravity flow, non-mechanical septic tank and subsurface treatment and distribution system, any wastewater system with individual septic tanks and individual pump stations that discharge to a common gravity flow subsurface treatment and distribution system when ownership of each septic tank and pumping station is by individual property owner and ownership of the common system is by a public or private entity; any animal waste system used for agricultural purposes that have been constructed in part or whole by public funds, or industrial wastewater systems under private ownership. ( )

41. Quasi-municipal Corporation. A public entity, other than community government, created or authorized by the legislature to aid the state in, or to take charge of, some public or state work for the general welfare. For the purpose of these rules, this term refers to wastewater or sewer districts. ( )

42. Receiving Waters. Those waters which receive pollutants from point or nonpoint sources. ( )

43. Recharge. The process of adding water to the zone of saturation. ( )

44. Recharge Water. Water that is specifically utilized for the purpose of adding water to the zone of saturation. ( )

45. Responsible Charge (RC). For purposes of Sections 202 through 204, responsible charge means, active, daily on-site and/or on-call responsibility for the performance of operations or active, on-going, on-site and/or on-call direction of employees and assistants. ( )

46. Responsible Charge Operator. For purposes of Sections 202 through 204, a responsible charge operator is an operator licensed at a class equal to or greater than the classification of the system and who has been designated by the system owner to have direct supervision of and responsibility for the performance of operations of a specified wastewater treatment system(s) or wastewater collection system(s) and the direction of personnel employed or retained at the same system. The responsible charge operator has an active daily on-site and/or on-call presence at the specified facility. ( )

47. Reviewing Authority. For those projects requiring preconstruction approval by the Department, the Department is the reviewing authority. For those projects allowing for preconstruction approval by others, pursuant to Subsection 400.01.b. of these rules, the qualified licensed professional engineer is also the reviewing authority. ( )

48. Sanitary Sewer Extension. As used in Section 400, an extension of an existing wastewater collection system that does not require a lift station or force main and is intended to increase the service area of the wastewater collection system. ( )

49. Secondary Treatment. Processes or methods for the supplemental treatment of wastewater, usually following primary treatment, to affect additional improvement in the quality of the treated wastes by biological means of various types which are designed to remove or modify organic matter. ( )

50. Sewage. The water-carried human or animal waste from residences, buildings, industrial establishments or other places, together with such ground water infiltration and surface water as may be present. ( )

51. Sludge. The semi-liquid mass produced by partial dewatering of potable or spent process waters or wastewater. ( )

52. Special Resource Water. Those specific segments or bodies of water which are recognized as needing intensive protection: ( )

a. To preserve outstanding or unique characteristics; or ( )

b. To maintain current beneficial use. ( )

53. State. The state of Idaho. ( )

54. Substitute Responsible Charge Operator. A public wastewater operator holding a valid license at a class equal to or greater than the public wastewater system classification, designated by the system owner to replace and to perform the duties of the responsible charge operator when the responsible charge operator is not available or accessible. ( )

55. Surface Water Body. All surface accumulations of water, natural or artificial, public or private, or parts thereof which are wholly or partially within, which flow through or border upon the state. This includes, but is not limited to, rivers, streams, canals, ditches, lakes, and ponds. It does not include private waters as defined in Section 42-212, Idaho Code. ( )

56. Treatment. A process or activity conducted for the purpose of removing pollutants from wastewater. ( )

57. Treatment System. Any physical facility or land area for the purpose of collecting, treating, neutralizing or stabilizing pollutants including treatment ~~by disposal~~ plants, the necessary intercepting, outfall and outlet sewers, pumping stations integral to such plants or sewers, equipment and furnishing thereof and their appurtenances. A treatment system may also be known as a treatment facility, waste treatment system, waste treatment facility, or waste treatment plant. ( )

58. User. Any person served by a public wastewater system. ( )

59. Disposal Facility. Any facility used for disposal of any wastewater. ( )

60. Wastewater. Unless otherwise specified, sewage, industrial waste, agricultural waste, and associated solids or combinations of these, whether treated or untreated, together with such water as is present. ( )

61. Wastewater Pipelines. The pipelines that collect and convey non-potable discharges from or to multiple service connections. ( )

62. Wastewater System. Wastewater system includes any treatment system or disposal facility. ( )

63. Wastewater ~~Collection~~ System Operator. The person who is employed, retained, or appointed to conduct the tasks associated with routine day to day operation and maintenance of a public wastewater treatment or collection system in order to safeguard the public health and environment. ( )

64. Water Main Extension. An extension of the distribution system of an existing public water system that does not require a booster pumping station and is intended to increase the service area of the water system. ( )

65. Water Pollution. Any alteration of the physical, thermal, chemical, biological, or radioactive properties of any waters of the state, or the discharge of any pollutant into the waters of the state, which will or is likely to create a nuisance or to render such waters harmful, detrimental or injurious to public health, safety or welfare, or to fish and wildlife, or to domestic, commercial, industrial, recreational, aesthetic, or other beneficial uses. ( )

66. Waters And Waters Of The State. All the accumulations of water, surface and underground, natural and artificial, public and private, or parts thereof which are wholly or partially within, which flow through or border upon the state. ( )

67. Watershed. The land area from which water flows into a stream or other body of water which drains the area. ( )

011. – 200. (RESERVED).

201. POINT SOURCE WASTEWATER TREATMENT REQUIREMENTS. *(WQS ع 401)*

01. Appropriate Control Measures. The Department, through approval or disapproval of plans for wastewater treatment and disposal facilities, the issuance of wastewater discharge permits, orders, compliance schedules, directives or any of the mechanisms at its disposal, will require persons to apply appropriate control measures necessary to achieve and maintain the water quality standards contained ~~herein~~ in IDAPA 58.01.02, "Water Quality Standards." ( )

02. Degree of Treatment. The degree of wastewater treatment required to restore and maintain the standards of quality will be determined in each instance by the Department, based upon the following:( )

a. The uses which are made or desired of the receiving water; ( )

b. The volume and nature of flow of the receiving water; ( )

c. The quantity and quality of the wastewater to be treated; and ( )

d. The presence or absence of other sources of water pollution on the same watershed, stream segment or aquifer. ( )

~~**03. Treatment Requirements**. Unless more stringent limitations are necessary to meet the applicable requirements of Sections 200 through 300 or unless specific exemptions are made pursuant to Subsection 080.02 or 401.05, wastewaters discharged into surface waters of the state must have the following characteristics: (7-1-93)~~

~~**a.** Temperature - the wastewater must not affect the receiving water outside the mixing zone so that: (7-1-93)~~

~~i. The temperature of the receiving water or of downstream waters will interfere with designated beneficial uses. (7-1-93)~~

~~ii. Daily and seasonal temperature cycles characteristic of the water body are not maintained. (7-1-93)~~

~~iii. If the water is designated for warm water aquatic life, the induced variation is more than plus two (+2) degrees C. (3-15-02)~~

~~iv. If the water is designated for cold water aquatic life, seasonal cold water aquatic life, or salmonid spawning, the induced variation is more than plus one (+1) degree C. (3-15-02)~~

~~v. If temperature criteria for the designated aquatic life use are exceeded in the receiving waters upstream of the discharge due to natural background conditions, then Subsections 401.03.a.iii. and 401.03.a.iv. do not apply and instead wastewater must not raise the receiving water temperatures by more than three tenths (0.3) degrees C. (3-15-02)~~

~~**b.** Turbidity - the wastewater must not increase the turbidity of the receiving water outside the mixing zone by: (7-1-93)~~

~~i. More than five (5) NTU (Nephelometric Turbidity Units) over background turbidity, when background turbidity is fifty (50) NTU or less; or (7-1-93)~~

~~ii. More than ten percent (10%) increase in turbidity when background turbidity is more than fifty (50) NTU, not to exceed a maximum increase of twenty-five (25) NTU. (7-1-93)~~

~~**c.** Total Chlorine Residual - the wastewater must not affect the receiving water outside the mixing zone so that its total chlorine residual concentration exceeds eleven one-thousandths (0.011) mg/l.(1-1-89)~~

~~**04. Limitations on Increased Treatment Requirements**. In spite of any other provision and future amendment of these regulations, any point source treatment facility whose construction began after June 28, 1973, which was designed to meet federal and state requirements and which was constructed to the full satisfaction of the Department, will not be subject to any more stringent requirements or limitations as can be imposed by the Department during a ten (10) year period beginning on the date of completion of such construction except: (7-1-93)~~

~~**a.** In conformance with contractual agreements made with the Department, in which case the date of completion of those agreements would establish the beginning of the ten (10) year period; (7-1-93)~~

~~**b.** When facility expansion, production increase, or process modification would alter the composition of the discharge or exceed the design capacity of the treatment facility; or (7-1-93)~~

~~**c.** When a component or a concentration of a component in the discharge is later found to be causing or to be capable of causing significant injury to a designated beneficial use. (8-24-94)~~

~~**05. Exceptions to Treatment Requirements**. Exceptions to treatment requirements can be granted on a case-by-case basis when it can be demonstrated by the person requesting the exceptions: (7-1-93)~~

~~**a.** That such exceptions will not seriously affect existing water quality and uses are adequately protected; (7-1-93)~~

~~**b.** That the treatment requirement is: (7-1-93)~~

~~i. Unreasonable with current applicable technology; or (7-1-93)~~

~~ii. Economically prohibitive; or (7-1-93)~~

~~**c.** That treatment to a lesser degree would result in a net improvement in the water quality of the receiving water. (7-1-93)~~

0~~6~~3. **Operation**. Any person who owns or operates any sewage or other wastewater treatment facility must at all times: ( )

a. Insure that such facility is operated under competent supervision and with the highest efficiency that can reasonably be expected; and ( )

b. Maintain such facility in good repair. ( )

0~~7~~4. **Treatment Records**. Any person who owns or operates any facility or carries out any operation which results in the discharge of wastewater must furnish to the Department such information concerning quality and quantity of discharged wastewaters and maintain such treatment records as the Department requires to evaluate the effects of any receiving waters. Required information can include, but is not limited to: ( )

a. Treated wastewater discharge volumes; and ( )

b. Treated wastewater discharge BOD; and ( )

c. Treated wastewater discharge suspended solid concentration; and ( )

d. Discharge pH; and ( )

e. Discharge temperatures. ( )

085. Falsification of Records. It is a violation of these rules for any person to falsify or knowingly render inaccurate any treatment record which can be required as provided in these regulations. ( )

202. CLASSIFICATION OF WASTEWATER SYSTEMS. (*WQS ə 403)*

01. Classification Requirement. All public wastewater systems shall be classified based on indicators of potential health risks. ( )

a. Classification rating forms developed in accordance with the criteria in Subsection 202.02 must be completed by the public wastewater system owner or designee for every public wastewater treatment system and wastewater collection system no later than July 1, 2008. Public wastewater treatment and wastewater collection system owners or designee shall submit additional classification rating forms at five (5) year intervals detailing existing conditions. ( )

b. The Department shall review system classification rating forms submitted by the public wastewater treatment and wastewater collection system owners at five (5) year intervals and classify the systems to reflect the condition at the time of the initial classification, or changed conditions, if any, on subsequent submittals. ( )

02. Classification Criteria. Public wastewater treatment systems and wastewater collection systems shall be classified under a system that uses the following criteria: ( )

a. Complexity, size, volume and variability in raw waste for treatment systems using guidelines established by the Department. ( )

b. Complexity or size of collection systems. ( )

c. Other criteria deemed necessary to completely classify systems. ( )

203. WASTEWATER SYSTEM OPERATOR LICENSURE REQUIREMENTS. (*WQS ə 404*)

01. System Operator Licensure Requirement. Owners of all public wastewater systems must place the direct supervision of their wastewater system(s), including each treatment system and each collection system, under the responsible charge of an operator who holds a valid license equal to or greater than the classification of the wastewater treatment system and collection system. An operator in responsible charge of both a wastewater treatment system and a collection system shall hold two (2) licenses, one (1) for wastewater treatment and one (1) for collection. Owners shall notify the Department in writing of any change of responsible charge or substitute responsible charge operator within ten (10) days of such change. ( )

02. Responsible Charge Operator License Requirement. An operator in responsible charge of a public wastewater system in Idaho must hold a valid license equal to or greater than the classification of the wastewater system(s), including each treatment system, where present, and each collection system as determined by the Department. ( )

03. Substitute Responsible Charge Operator. At such times as the responsible charge operator is not available, a substitute responsible charge operator shall be designated to replace the responsible charge operator. ( )

04. Wastewater System Operator Licensure. All other operating personnel at public wastewater systems including each treatment system and collection system must hold a valid license. ( )

05. Class A Reclaimed Wastewater System Operator License Exception. Any public wastewater system operating personnel that exclusively operate a Class A Effluent Distribution System of a Class A Municipal

Reclaimed Wastewater System permitted in accordance with IDAPA 58.01.17, "Wastewater Land Application Permit Rules," is not subject to operator licensing requirements. ( )

05~~5~~6. General Compliance Deadline. All public wastewater systems addressed in ~~these rules~~ Sections 202 and 203 shall be in compliance with these rules by April 15, 2006. ( )

07. Land Application Operator Compliance Deadline. Each wastewater land application system addressed in these rules shall employ, retain or contract with licensed land application operating personnel by April 15, 2007. ( )

06~~8~~. Qualifications For Operator Licensure. All wastewater system operating personnel, including responsible charge and substitute responsible charge operators, must qualify for and hold a valid license issued by the Idaho Bureau of Occupational Licenses. ( )

204. CONTRACTING FOR SERVICES. *(WQS ə 405)*

Public wastewater systems may contract with a licensed public wastewater system operator or with a public wastewater system having licensed operators to provide supervision. The contracted public wastewater system operator or contracted entity shall employ and assign to that system an operator licensed at the grade equal to or greater than the classification of the system. ( )

205. – 259. (Reserved).

260. SUBSURFACE SEWAGE OR WASTE DISPOSAL. *(WQS ə 460)*

Subsurface sewage or wastewater disposal facilities must be designed and located so that pollutants cannot be reasonably expected to enter water of the state in concentrations resulting in injury to beneficial uses.( )

261. -- 399. (Reserved).

400. REVIEW OF PLANS FOR WASTE TREATMENT OR DISPOSAL FACILITIES. (*WQS ə 402)*

All applicable laws, rules and standards shall be used in the review of plans and specifications for waste treatment or disposal facilities, wastewater pipelines and other wastewater systems. "Recommended Standards for ~~Sewage Works~~ Wastewater Facilities – 2004 edition" by the Great Lakes-Upper Mississippi River Board of State Sanitary Engineers (except Chapters 10, 20, and 30) ~~, and all applicable laws, rules, regulations and standards will be used as guides~~ shall be used as guidance in the review of plans and specifications for waste treatment or disposal facilities and other wastewater systems. The "Idaho Guidance for Wastewater Facilities" shall be used only to provide assistance in applying and interpreting these rules. ( )

01. Plan and Specification ~~Approval Required~~ Review. ~~The construction, alteration or expansion of any sewage treatment system or other wastewater treatment or disposal facility must not begin before plans and specifications for the proposed facility have been submitted to and approved by the Department, except as provided in Subsection 402.03.~~ ( )

a. Except as provided in Subsection 400.01.b., all plans and specifications for the construction of new sewage systems, sewage treatment plants or systems, other waste treatment or disposal facilities, or for material modifications to existing sewage treatment plants or systems, waste treatment or disposal facilities shall be submitted to the Department for review and approval before construction may begin and all construction shall be in substantial compliance therewith. The Department shall review plans and specifications and endeavor to resolve design issues within forty-two (42) calendar days of submittal such that approval can be granted. If the Department and applicant have not resolved design issues within forty-two (42) calendar days or at any time thereafter, the applicant may file a written demand to the Department for a decision. Upon receipt of such written demand, the Department shall deliver a written decision to the applicant within no more than seven (7) calendar days explaining any reasons for disapproval. The Department shall maintain records of all written demands for decision made pursuant to Subsection 400.01.a. with such records including the final decision rendered and the timeliness thereof. No material deviation shall be made to the approved plans and specifications without the prior approval of the Department. ( )

b. Plans developed for routine maintenance or equipment replacement activities or plans for sanitary sewer extensions, when such facilities will be owned and operated by a city, county, quasi-municipal corporation or

regulated public utility, shall not require preconstruction approval by the Department, provided that such plans and specifications are reviewed and approved by a qualified Idaho licensed professional engineer, who was not involved in the preparation of the plans and specifications being reviewed, to verify compliance with the requirements of these rules prior to initiation of construction. Any plans approved pursuant to Subsection 400.01.b. shall be transmitted to the Department at the time construction is authorized along with a statement that the plans comply with the requirements of these rules and that construction has been authorized by the city, county, quasi-municipal corporation or regulated public utility that will own and operate the system. At the discretion of the city, county, quasi-municipal corporation or regulated public utility, the plans addressed by this subsection may be referred to the Department for review and approval prior to initiation of construction. ( )

02. Professional Engineer. Plans and specifications for construction, alteration or expansion of any ~~publicly owned sewage wastewater treatment~~ sewage system, sewage treatment plant or system, or other waste treatment or disposal facility shall be prepared by or under the supervision of ~~a~~ an Idaho registered professional engineer and shall bear the imprint of the engineer's seal. Construction shall be ~~inspected~~ observed by a registered professional engineer or a person under the supervision of a registered professional engineer. ( )

~~**03. Deviations From Approved Plans**. No deviations are to be made from the approved plans and specifications without prior approval of the Department. ( )~~

~~**04. As-Constructed Plans and Specifications**. If actual construction deviates from the approved plans and specifications, complete and accurate plans and specifications depicting the actual construction, alteration, or modification performed, shall be submitted to the Department for review and approval within thirty (30) days of completion of construction. ( )~~

03. Record Plans and Specification. Within thirty (30) calendar days of the completion of construction of facilities covered by Subsection 400.01, record plans and specifications based on information provided by the construction contractor and field observations made by the engineer or the engineer's designee depicting the actual construction of facilities performed, must be submitted to the Director by the engineer representing the city, county, quasi-municipal corporation or regulated public utility that owns the project, or by the design engineer or owner-designated substitute engineer if the constructed facilities will not be owned and operated by a city, county, quasi-municipal corporation or regulated public utility. Such submittal by the professional engineer must confirm material compliance with the approved plans and specifications or disclose material deviations therefrom. If the construction does not materially deviate from the approved plans and specifications, the owner may have a statement to that affect prepared by a qualified Idaho licensed professional engineer and filed with the Department in lieu of submitting a complete and accurate set of record drawings. ( )

04. Compliance with Applicable Standards and Rules. All plans and specifications submitted to satisfy the requirements of Section 400 or approved in compliance with Section 400, shall be in compliance with the requirements of these rules and shall conform in style and quality to regularly accepted engineering standards. The Department shall review plans and specifications to determine compliance with these rules and engineering standards of care. If the plans and specifications comply with these rules and engineering standards of care, the Department shall not substitute its judgment for that of the owner's design engineer concerning the manner of compliance with these rules. ( )

05. Waiver of Approval Requirement. The Department ~~can~~ may waive the plan and specification approval ~~required in Subsection 402.01~~ for any particular facility or category of facilities which will have no significant impact on the environment or on the public health. ( )

401. -- 409. (RESERVED)

410. FACILITY AND DESIGN STANDARDS FOR WASTEWATER SYSTEMS - ENGINEERING REPORTS AND FACILITY PLANS

01. Engineering Reports and Facility Plans Required. Engineering Reports and current Facility Plans are required and shall address hydraulic capacity, treatment capacity, project financing, and operation and maintenance considerations sufficiently to determine the effects of the project on the overall wastewater infrastructure. Engineering Reports must be completed for minor collection system, pump station, and interceptor projects. Comprehensive Facility Plans must be completed or have been completed for projects involving new,

expanded, upgraded, or rehabilitated wastewater treatment facilities and major collection, interceptor sewer, and pump station projects and address the entire potential service area of the project. The determination of classification as major or minor collection interceptor sewer and pump station projects will be made by the reviewing authority based on review of recommended classification by the owner. ( )

02. Submittal to Reviewing Authority. Documents referenced in Subsection 410.01 must be submitted to the reviewing authority for review and approval, unless the reviewing authority already has the reports and plans in its possession. ( )

03. Engineering Report or Facility Plan Contents. The Engineering Report or Facility Plan must include sufficient detail to demonstrate that the proposed project meets applicable criteria. The Engineering Report or Facility Plan typically identifies and evaluates wastewater related problems; assembles basic information; presents criteria and assumptions; examines alternate projects, with preliminary layouts and cost estimates; describes financing methods, sets forth anticipated charges for users; reviews organizational and staffing requirements; offers a conclusion with a proposed project for client consideration; and outlines official actions and procedures to implement the project. ( )

411. – 419. (RESERVED)

420. FACILITY AND DESIGN STANDARDS FOR WASTEWATER SYSTEMS - SUBMISSION OF PLANS AND SUPPORT DOCUMENTS.

Submissions to the reviewing authority for construction of wastewater systems shall include sealed plans and specifications, design criteria, the appropriate construction permit applications, review forms, and permit fee if required. The plans and specifications shall contain sufficient detail to allow for the contracting and construction of the wastewater systems. ( )

421. – 429. (RESERVED)

430. FACILITY AND DESIGN STANDARDS FOR WASTEWATER SYSTEMS - DESIGN AND CONSTRUCTION OF WASTEWATER PIPELINES.

01. Design Capacity and Design Flow. In general, sewer capacities shall be designed for the estimated ultimate tributary population, except in considering parts of the systems that can be readily increased in capacity. ( )

02. Details of Design and Construction. ( )

a. Minimum Pipe Size. Minimum pipe size shall be based on cleaning capability and hydraulic capacity, and shall conform with the required planning documents. ( )

b. Depth. Wastewater pipelines shall be installed sufficiently deep or specifically designed to prevent freezing and to protect the facilities from surface loading. ( )

c. Buoyancy. Buoyancy of wastewater pipelines shall be considered and flotation of the pipe shall be prevented with appropriate construction where high groundwater conditions are anticipated. ( )

d. Slope. Wastewater pipelines shall be designed to have sufficient slope and velocity to "self clean" or transport constituent solids to the treatment facility or the owner shall periodically service wastewater pipelines to flush, transport, or remove solids from wastewater pipelines with minimal velocities.
( )

e. Materials. ( )

i. Any generally accepted material for wastewater pipelines will be given consideration. The material selected should be adapted to local conditions, such as: character of industrial wastes, possibility of septicity, soil characteristics, exceptionally heavy external loadings, abrasion, corrosion, and similar problems. ( )

ii. Couplings complying with applicable standard specifications shall be used for joining dissimilar materials. ( )

iii. For new pipe materials for which standards have not been established, the design engineer shall provide complete pipe specifications and installation specifications developed on the basis of criteria adequately documented and certified in writing by the pipe manufacturer to be satisfactory for the specific application. ( )

f. Installation. Installation specifications shall contain appropriate requirements based on the criteria, standards, and requirements established by industry in its technical publications. Reference Idaho Standards for Public Works Construction, 2005 Edition, and subsequent revisions, for assistance in designing such specifications. ( )

g. Joints and Infiltration. ( )

i. The installation of joints and the materials used shall be included in the specifications. Wastewater pipeline joints shall be designed to minimize infiltration and to prevent the entrance of roots throughout the life of the system. Reference Idaho Standards for Public Works Construction, 2005 Edition, and subsequent revisions, for assistance in designing such specifications. ( )

ii. Service connections to the wastewater pipeline main shall be water tight and not protrude into the wastewater pipelines. If a saddle type connection is used, it shall be a device designed to join with the types of pipe which are to be connected. All materials used to make service connections shall be compatible with each other and with the pipe materials to be joined and shall be corrosion proof. ( )

h. Manholes. Manholes shall be installed at the end of each line; at all changes in grade, size, or alignment; at all intersections. Cleanouts may be used only for special conditions and shall not be substituted for manholes nor installed at the end of laterals greater than one hundred fifty (150) feet in length. ( )

i. Testing. Testing shall conform with Section 500.3.4 of the "Idaho Standards for Public Works Construction". ( )

j. Inverted Siphons. Inverted siphons shall have not less than two (2) barrels. They shall be provided with necessary appurtenances for maintenance, convenient flushing, and cleaning equipment. Design shall provide sufficient head and appropriate pipe sizes to secure sufficient velocities for design average flows. ( )

k. Wastewater Pipelines in Relation to Surface Water Bodies. The top of all wastewater pipelines entering or crossing surface water bodies shall be at a sufficient depth below the natural bottom of the bed or otherwise designed to protect the wastewater pipeline. ( )

i. Wastewater pipelines located along surface water bodies shall be located outside of the bed and sufficiently removed therefrom to provide for future possible stream widening and to prevent pollution by siltation during construction. ( )

ii. Structures. Wastewater pipeline outfalls, headwalls, manholes, gate boxes, or other structures shall be designed to address anticipated flood flows of the surface water bodies. ( )

iii. Alignment. Wastewater pipelines crossing surface water bodies should be designed to cross the surface water body as nearly perpendicular to the surface water body flow as possible and shall be free from change in grade. ( )

iv. Materials. Wastewater pipelines entering or crossing surface water bodies shall be constructed of ductile iron pipe or other suitable pipe with restrained joints; otherwise they shall be constructed so they will remain watertight and free from changes in alignment or grade. Material used to back-fill the trench shall be stone, coarse aggregate, washed gravel, or other materials which will not readily erode, cause siltation, damage pipe during placement, or corrode the pipe. ( )

v. Siltation and Erosion. Construction methods that will minimize siltation and erosion shall be employed. ( )

l. Aerial Crossings. Support shall be provided for all joints in pipes utilized for aerial crossings. Restrained joints or structural casings are required. ( )

m. Cross Connections Prohibited. There shall be no physical connections between a public or private potable water supply system and a wastewater pipeline, or appurtenance thereto, which would permit the passage of any wastewater or polluted water into the potable supply. No water pipe shall pass through or come into contact with any part of a wastewater pipeline manhole. ( )

n. Protection of Water Sources, Supplies. When wastewater pipelines are proposed in the vicinity of any drinking water sources or supplies or other drinking water facilities, requirements of IDAPA 58.01.08, "Idaho Rules for Public Drinking Water Systems," shall be used to confirm acceptable isolation distances. ( )

o. Relation to Potable Water Mains. ( )

i. Non-potable mains in relation to potable water mains. ( )

(1) Parallel installation requirements. ( )

(a) Greater than ten (10) feet separation: no conditions. ( )

(b) Ten (10) feet to six (6) feet separation: separate trenches, with potable main above non-potable main, and non-potable main constructed with potable-water class pipe. ( )

(c) Less than six (6) feet separation: engineer to submit data to the Department for review and approval that this installation will protect public health and environment and non-potable main constructed with potable-water class pipe. ( )

(d) Never in same trench. ( )

(2) Non-potable mains crossing potable water mains requirements. ( )

(a) Eighteen (18) inches or more vertical separation with potable water main above non-potable main: non-potable main joint as far as possible from potable water main. ( )

(b) Less than eighteen (18) inches vertical separation: non-potable main constructed with potable water class pipe and non-potable main joint as far as possible from potable water main; or sleeve non-potable pipe with potable water class pipe for ten (10) feet either side of crossing. ( )

ii. Non-potable services in relation to potable water services and non-potable services in relation to potable water mains. The Department will use the Memorandum of Understanding with the Plumbing Bureau as guidance in determining the relative responsibilities for reviewing service lines. ( )

(1) Parallel installation requirements. ( )

(a) Greater than six (6) feet separation: no conditions. ( )

(b) Less than six (6) feet separation: engineer to submit data that this installation will protect public health and environment and non-potable service constructed with potable water class pipe. ( )

(c) Never in same trench. ( )

(2) Non-potable services crossing potable water services or potable water mains requirements. ( )

(a) Eighteen (18) inches or more separation with potable water service or main above non-potable service: non-potable main joint as far as possible from potable water main. ( )

(b) Less than eighteen (18) inches separation or potable water service or main below non-potable service: non-potable service or main constructed with potable water class pipe and non-potable main joint as far as possible from potable water main; or sleeve non-potable pipe with potable water class pipe for ten (10) feet either side of crossing. ( )

431. --- 492. (RESERVED)

493. FACILITY AND DESIGN STANDARDS FOR WASTEWATER SYSTEMS - WASTEWATER LAGOONS.
These rules pertain to all new and existing wastewater lagoons, including municipal and industrial lagoons, discharging and non-discharging lagoons, treatment lagoons, storage lagoons, and any other lagoons that if leaking, have the potential to degrade waters of the state. These rules do not apply to single-family dwellings utilizing a single lagoon, two cell infiltrative system, or those animal waste lagoons excluded from review under Section 39-118, Idaho Code. ( )

01. Seepage Testing Requirements. All existing lagoons covered under these rules must be seepage tested by a qualified licensed professional engineer by April 15, 2008, and all new lagoons must be seepage tested by a qualified licensed professional engineer as a part of the construction process. All lagoons covered under these rules must be seepage tested by a qualified licensed professional engineer every five (5) years after the initial testing. The procedure for performing a seepage test or alternative analysis must be approved by the Department, and the test results must be submitted to the Department. If an existing lagoon has had seepage testing done and results submitted to the Department before April 15, 2008, the owner of that lagoon has five (5) years from the date of the testing to comply with this requirement. ( )

02. Allowable Seepage Rates.

a. Design Standard. Lagoons shall be designed for a maximum leakage rate of five hundred (500) gallons per acre per day. ( )

b. Operating Standard. The leakage rate for lagoons constructed after April 15, 2006 shall be no more than 0.125 inches (1/8 inch) per day, which is approximately thirty-four hundred (3400) gallons per acre per day. The leakage rate for existing lagoons constructed prior to April 15, 2006 shall be no more than 0.25 inches (1/4 inch) per day. ( )

03. Requirements for Lagoons Leaking Above the Allowable Amount. If a lagoon is found to be leaking at a rate higher than that allowed under Subsection 493.02.b., the owner of the lagoon is required to: ( )

a. Repair the leak and retest for compliance; ( )

b. Re-line the lagoon and retest for compliance; ( )

c. Drain the lagoon in an approved manner and stop using the lagoon; or ( )

d. Develop a plan, based on ground water sampling and modeling, and determine the impact of the leaking lagoon on the environment. Any impact must comply with IDAPA 58.01.11, "Ground Water Quality Rule," and IDAPA 58.01.02, "Water Quality Standards." If the impact does not comply with IDAPA 58.01.11, "Ground Water Quality Rule," and IDAPA 58.01.02, "Water Quality Standards," the owner of the lagoon must follow one of the steps set out in Subsections 493.03.a. through c. ( )

494. --- 599. (RESERVED)

600. LAND APPLICATION OF WASTEWATER(S) OR RECHARGE WATERS. ***(WQS ∋ 600)***
Land application of wastewater or recharge waters is subject to the following requirements: ( )

01. Land Application Permit. Idaho Department of Environmental Quality Rules, ~~Title 01, Chapter 17, "Land Applicatin Permit Rules,"~~ IDAPA 58.01.17, "Wastewater Land Application Permit Rules," require a permit prior to land application of certain types of wastewater. ( )

02. Applied Waters Restricted to Premises. Wastewater(s) or recharge waters applied to the land surface must be restricted to the premises of the application site unless permission has been obtained from the ~~Department~~ U.S. Environmental Protection Agency authorizing a discharge into the surface waters of the state. ( )

03. Hazard or Nuisance Prohibited. Wastewaters must not create a public health hazard or a nuisance condition. ( )

04. Monitoring. Provision must be made for monitoring the quality of the ground water in proximity of the application site. The ground water monitoring program is subject to approval by the Department. All data and reports resulting from the ground water monitoring program must be submitted to the Department upon request. The minimum frequency of monitoring and data submittal will be determined by the Department and in general will be dependent upon: ( )

a. The nature and volume of wastewater material or recharge water; ( )

b. The frequency and duration of application; and ( )

c. The characteristics of the soil mantle on and lithology underlying the application site.( )

05. Basis for Evaluation. The evaluation for an approval to irrigate, either by sprinkling or flooding or surface spreading of wastewater material or by burying wastewater material or recharge water in the upper soil horizon as a method of treatment, must include, but will not necessarily be limited to, consideration of the following items: ( )

a. The type and quantity of wastewater(s) proposed for land application. In general, the wastewater(s) organic constituents are to be biologically degradable and inorganic constituents must be utilized by vegetation or those organisms normally present in the soil. Other wastewater(s) or recharge waters will be considered provided it can be shown that land application will not adversely affect beneficial uses of waters of the state. ( )

b. The nature of the soils and geologic formations underlying the application site. The entity proposing the activity must provide reasonable assurance that the soils and site geology will provide the required level of treatment and will not allow movement of pollutants into the underlying ground water. ( )

c. The ability of the soil and vegetative cover on the application site to remove the pollutants contained in the applied waters through the combined processes of consumptive use and biological and chemical inactivation. ( )

601. -- 649. (Reserved).

650. SLUDGE USAGE. ***(WQS ə 650)***

01. Disposal Plans Required. Sludge can be utilized as soil augmentation only in conformance with: ( )

a. A Department approved sludge disposal plan; or ( )

b. Procedures and in a manner approved by the Department on a site-by-site basis. ( )

02. Basis for Evaluation. Sludge disposal plans and sludge utilization proposals will be evaluated by the Department in regard to their protection of water quality and public health. ( )

03. Elements of Plans and Proposals. Plans and proposals must at a minimum provide:( )

a. That only stabilized sludge will be used. ( )

b. The criteria utilized for site selection, including: ( )

i. Soil description; ( )

ii. Geological features; ( )

iii. Groundwater characteristics; ( )

iv. Surrounding land use; ( )

v. Topography; and ( )

vi. Climate. ( )

c. A description of the application process. ( )

d. A statement detailing procedures to prevent application which could result in a reduction of soil productivity or in the percolation of excess nutrients. ( )

e. Identification of potential adverse health effects in regard to the sludge and its proposed use. ( )

f. Delineation of methods or procedures to be used to alleviate or eliminate adverse health effects. ( )

651. -- 999. (Reserved).